

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
EASTERN DIVISION

JEFF MACY,  
Plaintiff,  
v.  
CALIFORNIA HIGH  
PATROL RUNNING  
al.,  
Defendant

No. 5:23-cv-02245-RGK-BFM

## ORDER ACCEPTING MAGISTRATE JUDGE'S INTERIM REPORT AND RECOMMENDATION

Pursuant to 28 U.S.C. § 636, the Court has reviewed the Second Amended Complaint, the records and files herein, the Magistrate Judge's Interim Report and Recommendation, and Plaintiff's Objections to the Interim Report and Recommendation. The Court has engaged in a de novo review of those portions of the Interim Report and Recommendation to which objections have been made. The Court accepts the recommendations of the Magistrate Judge.

**ACCORDINGLY, IT IS ORDERED:**

1. The Interim Report and Recommendation is accepted.
2. The Second Amended Complaint is dismissed in part as follows:
  - a. Causes of Action 1-5 and 7-9 are dismissed in their entirety against all Defendants, with prejudice and without leave to amend;
  - b. Cause of Action 6 is dismissed to the extent that it (i) alleges

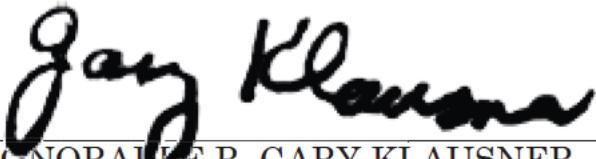
1 a claim for unlawful stop, against all Defendants; (ii) alleges a claim for  
2 prolonged stop, against the CHP and Does 1-10; and (iii) alleges a claim for  
3 unlawful search/seizure against the CHP, and Does 1-10;

4 c. The CHP and Does 1-10 are dismissed from the case.

5 3. Plaintiff is ordered to serve a copy of the Second Amended  
6 Complaint and summons on Defendants Sergeant O'Brien and Officer Bates.

7 4. The Court Clerk shall serve this Order on all counsel or parties of  
8 record.

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10 DATED: 6/25/2024

  
11 HONORABLE R. GARY KLAUSNER  
12 UNITED STATES DISTRICT JUDGE

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